



PATENT
0501-1097

IFW

IN THE U.S. PATENT AND TRADEMARK OFFICE

In re application of

Magalie GENET et al.

Conf. 7425

Application No.10/500,162

Group 3737

Filed June 25, 2004

Examiner John Ramirez

EQUIPMENT FOR SUBSURFACE AUTOFLUORESCENCE
SPECTROSCOPY

**PETITION UNDER 37 CFR §1.181 TO WITHDRAW THE
HOLDING OF ABANDONMENT**

Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

September 11, 2006

Sir:

Withdrawal of the holding of abandonment in the above-identified application pursuant to 37 CFR §1.181 is respectfully requested for the following reasons.

Recently, the undersigned received from the United States Patent and Trademark Office a Notice of Abandonment dated July 21, 2006 in the above-identified application. The Notice indicated that the application had been abandoned in view of applicants' failure to respond to the Office letter mailed January 10, 2006.

The Examiner was contacted and informed that a postcard receipt had been received confirming that a timely response was filed on July 10, 2006. The Examiner was also informed that the Patent Application Information Retrieval (P.A.I.R.) showed that the Amendment had been entered. However, the Examiner stated

that he could not see from his computer system that an Amendment had been filed.

Section 503 of the Manual of Patent Examining Procedure clearly states that a postcard receipt which itemizes and properly identifies the papers which are being filed serves as *prima facie* evidence of receipt in the United States Patent and Trademark Office of all the items listed thereon on the date stamped thereon by the United States Patent and Trademark Office.

A careful review of the accompanying postcard receipt (Exhibit A), which contains all the necessary identifying data, reveals that on July 10, 2006, applicants timely filed an amendment in response to the Official Action of January 10, 2006, along with a petition for extension of time for three months, and authorization to debit Account No. 25-0120 for the extension fee.

Since the postcard receipt bears the United States Patent and Trademark Office mailroom stamp of July 10, 2006, it is respectfully requested that the holding of abandonment be withdrawn and that the application be forwarded to the Examiner for prompt consideration of applicants' response which was timely filed on July 10, 2006.


The complete response along with the extension of time which was previously filed on July 10, 2006 and which was apparently misplaced by the United States Patent and Trademark Office, is available on Patent Application Information Retrieval

(P.A.I.R.). A copy of the information shown in P.A.I.R. accompanies this petition (Exhibit B).

Should the Examiner not be able to locate the Amendment filed July 10, 2006, it is respectfully requested that the Examiner contact the undersigned for a copy of the Amendment.

Respectfully submitted,

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RM/lk

Attorney Docket 0501-1097

THE STAMP OF THE PATENT OFFICE MAIL HEREON ACKNOWLEDGES THE
RECEIPT OF THE BELOW-IDENTIFIED DOCUMENT ON THE DATE INDICATED
BY SUCH STAMP.

Conf. .7425

In re: Magalie GENET et al.

S.N. 10/500,162 Group 3737

PETITION FOR EXTENSION OF TIME for three months.

AMENDMENT in response to O.A. of January 10, 2006.

extension CHARGE TO ACCOUNT \$510

REL:mjr

Due date: July 10, 2006 (3rd extension)

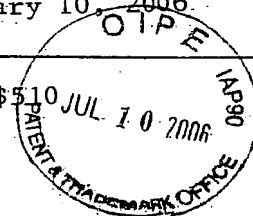


EXHIBIT A

Search results as of: 08-21-2006::12:03:36 E.T.

This application is officially maintained in electronic form. To View: Click the desired Document Description. To Download and Print: Check the desired document(s) and click StartDownload.

Mail Room Date	Document Description	Page Count
07-21-2006	Abandonment	2
07-10-2006	Amendment - After Non-Final Rejection	1
07-10-2006	Specification	1
07-10-2006	Claims	6
07-10-2006	Applicant Arguments/Remarks Made in an Amendment	4
07-10-2006	Extension of Time	1
01-10-2006	Non-Final Rejection	13
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01-10-2006	Index of Claims	1
01-10-2006	Bibliographic Data Sheet	1
01-10-2006	Search information including classification, databases and other search related notes	1
10-04-2004	Notice of DO/EO Acceptance Mailed	2
06-25-2004	Transmittal letter	2
06-25-2004	Specification	12
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06-25-2004	Abstract	1
06-25-2004	Drawings	3
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06-25-2004	Fee Worksheet (PTO-875)	1
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06-25-2004	Specification	1
06-25-2004	Claims	5
06-25-2004	Applicant Arguments/Remarks Made in an Amendment	3
06-25-2004	Application Data Sheet	6
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06-25-2004	Documents submitted with 371 Applications	1
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EXHIBIT B

06-25-2004	Documents submitted with 371 Applications	28
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10-15-2003	Documents submitted with 371 Applications	2

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